

Case No. F3312(C)

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

Claims 1 and 6 have been amended to recite that the structure of the frozen pasta product is such that the integrity of the pasta product is maintained on re-heating. Support for this amendment is found, for example, on page 2 (lines 7-11 and 20-21) and page 3 (lines 2-5).

Applicants submit that the Office's statement in the final sentence of the paragraph bridging pages 3 and 4 of the Office Action mailed 12 January 2005 that SirRedhawk could "just as likely" mean two separate things is an admission that SirRedhawk is ambiguous. Thus, Applicants contend that SirRedhawk does not directly and unambiguously disclose "a rectangular pasta sheet extending around the remaining layers of the product and sealed along two opposing surfaces," let alone the presence of such a structure which ensures that the integrity of the pasta product is maintained on re-heating. Thus claim 1 differs from SirRedhawk in claiming a frozen pasta product; a pasta product weighing less than 75 g; and furthermore a pasta product wherein at least two of the layers are provided by a rectangular pasta sheet extending around the remaining layers and sealed along two opposing surfaces such that the integrity of the frozen pasta product is maintained on re-heating.

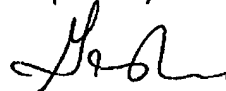
In view of the difference between claims 1 and 6 and SirRedhawk set forth above, it is submitted that the subject matter of claims 1 to 6 is inventive in view of SirRedhawk, and the combination of SirRedhawk with one or both of Nilsson and "Freezing Lasagne."

In addition, in view of the foregoing amendments the subject matter of the claims is further distinguished over the combination of SirRedhawk with both Nilsson and "Freezing Lasagne." The Office points to no teaching in these documents of a frozen pasta product weighing less than 75 g which maintains its integrity on re-heating.

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In view of the foregoing, it is respectfully requested that the application, as amended, be allowed.

Respectfully submitted,



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